

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
COOKEVILLE DIVISION

UNITED STATES OF AMERICA,)
)
)
v.) Case No: 2:12-cr-00005
)
RONALD W. PAUL) Chief Judge Haynes

GOVERNMENT'S MOTION IN LIMINE #2

The United States, through United States Attorney Jerry E. Martin and the undersigned Assistant United States Attorneys, hereby requests this Court permit the government to offer testimonial evidence of the existence of an arrest warrant for Failure to Register as a Sex Offender against defendant Ronald W. Paul, which had been issued by the State of Tennessee on or about November 11, 2010, and was still outstanding as of April 2011. The government seeks to introduce this information not to show the truth of the content of the affidavit but to rebut an anticipated argument by the defense.

This motion is DENIED as irrelevant for the reasons stated by counsel for the prosecution. J. E. Martin 11/23/12

The government anticipates that the defendant may introduce evidence that, in or around the first week of April 2011, defendant presented himself to and interacted with the Jackson County Sheriff's Office in an effort to register as a sex offender. The government seeks to introduce evidence that a State of Tennessee arrest warrant for defendant was in effect in April of 2011. This arrest warrant charged Failure to Register as a Sex Offender, in violation of Tenn. Code Ann. § 40-39-211, based on probable cause that defendant had violated Tennessee law by failing to register as a sex offender since December 2009. Evidence of this warrant's existence would be probative and admissible pursuant to Fed. R. Evid. 401 and 402 if the defendant asserts, through his own testimony or that of another witness, that he presented himself to the Jackson County Sheriff's Department in early April 2011, as it is unlikely that he could have